

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1-9 are currently pending in this application. Claims 1 and 9 are independent. The remaining claims depend, directly or indirectly, from independent claim 1.

**Claim Amendments**

Claims 1-9 have been amended to remove reference characters and to correct minor typographical errors. No new matter has been added by any of the aforementioned amendments. Further, the claim amendments do not necessitate an additional search.

**Amendment to the Specification**

The specification has been amended to include the phrase "in manufacturing data carriers" in paragraph [0005] on page 1 of the Published Specification. Support for this amendment may be found, for example, in paragraph [0007] of the Published Specification.

**Rejection(s) under 35 U.S.C § 102**

Claims 1-2 and 5-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2006/018705 ("Lind"). For the reasons set forth below, the rejection is respectfully traversed.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP § 2131. Applicant asserts that Lind fails to disclose all of the limitations of independent claims 1 and 9.

Embodiments of the claimed invention are directed toward manufacturing a first data carrier (*e.g.*, GSM plug) and a second data carrier (*e.g.*, optical disc) separately. The following discussion describes one or more embodiments of the invention but is not intended to limit the scope of the invention. Turning to Fig. 2, Fig. 2 shows a first data carrier (GSM plug (MOD)) inserted in a cavity (CAV) in a second data carrier. Conventionally, a GSM plug and an optical disc are manufactured together, and, thus, formed from the same material (*e.g.*, polycarbonate). However, in one or more embodiments of the claimed invention, because the two data carriers are manufactured separately, each of the data carriers may be formed from separate materials. Advantageously, the *second material is different from the first material*, allowing the first data carrier (*e.g.*, GSM plug) to be composed of a different material (*e.g.*, plastic) then, for example, polycarbonate, improving the quality of the first data carrier. *See e.g.*, Published Specification, paragraph [0025].

Accordingly, independent claims 1 and 9 each recite, *inter alia*, “that the first data carrier and the second data carrier are *made of two different materials*.” The aforementioned limitation explicitly requires that the first data carrier (*e.g.*, GSM plug) and the second data carrier (*e.g.*, optical data carrier) each be composed of a different material. In contrast, Lind is directed toward a method for detaching an optical disc from a detachable module, while providing the detachable module with a smooth surface. Lind explicitly discloses that the optical disc and the detachable module are manufactured together and separated at a later time. *See e.g.*, Lind, paragraphs [0012]-

[0014]. As a result, it logically follows that the detachable module and the optical disc are made of the same polymer material. See e.g., Lind, paragraphs [0021], [0022], [0028] and [0030]. Thus, Lind is completely silent with respect to a first data carrier and a second data carrier formed from different materials. The Examiner supports this fact by failing to cite anywhere in the Action that Lind discloses, teaches, or suggests the aforementioned limitation.

Because Lind fails to disclose a first data carrier and a second data carrier made of different materials, Lind fails to disclose all the limitations of independent claims 1 and 9. Thus, independent claims 1 and 9 are patentable over Lind. Dependent claims are patentable over Lind for at least the same reasons as independent claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. § 103**

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lind in view of U.S. Patent No. 6,758,404 ("Ladyyansky"). Claims 3 and 4 depend indirectly from independent claim 1. For the reasons set forth below, this rejection is respectfully traversed.

To establish a *prima facie* case of obviousness, "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143. Applicant asserts that Lind and Ladyyansky fail to teach or suggest all the claim limitations.

As discussed above, Lind fails to teach or suggest all the limitations of independent claim 1. Further, Ladyyansky fails to disclose that which Lind lacks as evidenced by the fact that Ladyyansky is only relied upon to teach the limitations of claims 3 and 4. See Action, pp. 4-5.

Moreover, Ladyyansky is silent with respect to "a first data carrier and a second data carrier made from different materials."

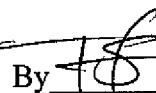
In view of the above, Lind and Ladyyansky, whether considered separately or in combination, fail to teach or suggest all the limitations of independent claim 1. Thus, independent claim 1 is patentable over Lind and Ladyyansky. Dependent claims 3 and 4 are patentable over Lind and Ladyyansky for at least the same reasons as independent claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

### Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09669/044001).

Dated: September 25, 2007

Respectfully submitted,

By  #45,079  
Jonathan P. Osha ~~THOMAS SCHERER~~  
Registration No.: 33,986  
OSHA · LIANG LLP  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)  
Attorney for Applicant